

IN THE CIRCUIT COURT OF TATE COUNTY, MISSISSIPPI

CITY OF SENATOBIA, MISSISSIPPI

PLAINTIFF

VS.

NO. 23-CV-16-JMT

MISSISSIPPI DEPARTMENT OF  
PUBLIC SAFETY

DEFENDANT

**COMPLAINT FOR DECLARATORY JUDGMENT**

COMES NOW the City of Senatobia, Mississippi, and files this Complaint, pursuant to M.R.C.P. Rule 57, for Declaratory Judgment against the Mississippi Department of Public Safety ("DPS") and in support of same would show as follows:

1.

The City of Senatobia, Mississippi is a political subdivision of the State of Mississippi and is located in Tate County, Mississippi.

2.

The Mississippi Department of Public Safety is also a governmental entity of the State of Mississippi and may be served with process of this Court by serving the Mississippi Attorney General, pursuant to M.R.C.P. 4(d)(5).

3.

This Court has jurisdiction over the parties in this matter and the relief sought herein.

4.

The State of Mississippi has the highest rate of uninsured drivers in the nation. Despite efforts to reduce this problem, the actual percentage of uninsured drivers in the State continues to rise virtually every year.

5.

FILED

JAN 09 2023

Edward L. (Eddie) Hadskey • Tate Co. Circuit Clerk  
By [Signature]

**EXHIBIT 1**

Because of the nation-leading number of uninsured vehicles in this State, the working people of this State who actually purchase insurance are faced with the third-highest uninsured insurance burden of any rural state in the United States.

6.

The City of Senatobia, Mississippi, has entered into a contract, through its Police Department, with Securix, Inc., in an effort to enforce the insurance laws of this State and specifically, of drivers through the city limits of Senatobia, Mississippi. Securix, Inc.'s system is a proprietary system that utilizes the insurance verification system DPS is required to maintain pursuant to the Public Safety Verification Enforcement Act, Miss. Code Ann. §63-16-1 (2021). Under the Securix proprietary platform, officers with the Senatobia Police Department would have access to the information contained in the Insurance Verification System.

7.

Miss. Code Ann. §63-16-3, the Insurance Verification System, mandates that the Department of Public Safety establish an accessible common-carrier based motor vehicle insurance verification system to verify the compliance of a motor vehicle with the motor vehicle liability policy requirements under the Mississippi Motor Vehicle Safety – Responsibility law.

8.

Miss. Code Ann. §63-16-3(3)(c) states that the information shall “[b]e accessible, without fee, to authorized personnel of the department, the courts, law enforcement personnel and other entities authorized by the department under the provisions of §63-16-7[.]”

9.

However, despite the fact that the relevant statute requires that the information be accessible to law enforcement personnel, the DPS has failed and refused to provide the Insurance

Verification System to the City of Senatobia and its Police Department.

10.

Pursuant to Rule 57 M.R.C.P., the Plaintiff seeks a Declaratory Judgment against DPS declaring that, under Miss. Code Ann. §63-16-3, the DPS must provide the City of Senatobia, Mississippi's Police Department with the information contained in the Mississippi Insurance Verification System, without fee, as the Plaintiff is entitled, per statute, to receive. The Plaintiff further requests any and all other relief that it may be entitled to.

11.

Pursuant to M.R.C.P. Rule 57(a), the Plaintiff requests that the Court grant a speedy hearing and advance this matter on the Court's calendar.

WHEREFORE, PREMISES CONSIDERED, the City of Senatobia, Mississippi moves this Court to issue a Declaratory Judgment declaring that the Mississippi Department of Public Safety, pursuant to Miss. Code Ann. §63-16-3(3)(c), must provide the City with the information contained in the Mississippi Insurance Verification System, without fee, as well as any and all other or further relief to which it may be entitled.

Respectfully submitted,

**CITY OF SENATOBIA, MISSISSIPPI**

BY: 

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